IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

WP(C).No. 3435 of 2007(H)

AGAINST THE ORDER IN EA 194/2005 IN
EP.73/2004 of SUB COURT, TIRUR

.....

PETITIONER:

M.THOOMBAN, S/O.MUNDIALATHIL
THAMI, MUNDIALATHIL HOUSE, RAYIRIMANGALAM
AMSOM AND DESOM, TIRUR TALUK.

BY ADV. SRI.SHAJI JOSEPH

RESPONDENTS:

SECRETARY,
THE PARAPPANANGADI REGIONAL HOUSING
CO-OPERATIVE SOCIETY LTD.NO.(M) 38,
P.O.PARAPPANANGADI.

BY ADV. SRI.V.RAJENDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1 AWARD IN ARC.NO.1229/97-98.

P2 JUDGMENT IN WPC.10830/04 DT.29.3.04.

P3 MEMO RELATING THE REMITTANCE OF THE ONE LAKH RUPEES BY THE PETITIONER.

P4 E.A.NO.194/05 FILED BY THE PETITIONER.

P5 DISMISSAL ORDER IN EA.NO.194/05 DT.12.1.07.

TRUE COPY

P.A. TO JUDGE

K.P. BALACHANDRAN, J.

W.P (C) No. 3435 OF 2007

Dated this the 20th day of March, 2007

J U D G M E N T

Respondent has entered appearance and submits that counter affidavit is being filed. At the same time, counsel for the petitioner submits that he will clear off the entire debt, within one month. Counsel for the respondent has nothing to say in the matter. It was submitted by the counsel for the petitioner on 8.2.2007 that the respondent Housing Society has agreed that they are not interested in having the property purchased in auction, if the entire balance amount is paid.

I dispose of this writ petition in the circumstances granting one month's time to the petitioner as prayed for to effect payment of the entire balance debt to the respondent Housing Society.

K.P. BALACHANDRAN, JUDGE

ma

/True copy/

P.A to Judge

KURIAN JOSEPH, J.

O.P.No.16566/1997

J U D G M E N T

7.12.2006